IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

Letters Patent Appeal No.318 of 2007
In
Writ Petition No.6064 of 2005 (Decided)

(R.V.P.R.T. Aurved Mahavidyalaya v. The Assistant Provident Fund Commissioner, Nagpur, and others)

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Office Notes, Memoranda of Coram, appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

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Shri A.M. Ghare, Advocate for Appellant.
Dr. R.S. Sundaram, Advocate for R- 1.
Shri A.G. Mujumdar, AGP for State.

CORAM : K.J. Rohee & R.C. Chavan, JJ.
DATE : 14th December, 2007

Heard the learned counsel for the parties.

The appellant filed the writ petition initially challenging the orders passed by respondent Nos.1 and 3 directing the appellant to pay the difference of the amount as regards payment of contributory provident fund of the employees of the appellant. During the pendency of the writ petition, the appellant amended the petition by challenging the communication dated 10-12-2002 by respondent No.4 informing the appellant that the State would not pay the appellant the enhanced contribution at the rate of 10% or 12% towards the provident fund, but would continue to pay the same at the rate of 8.33%. It is true that the amendment goes back to the date of filing of the petition, but the learned Single Judge dismissed the petition by keeping the submissions of the appellant as regards the communication dated 10-12-2007, open.

We find no illegality in the impugned order passed by the learned Single Judge. Hence, we are not inclined to entertain the present Letters Patent Appeal.

The Letters Patent Appeal is, therefore, dismissed.

JUDGE JUDGE

pdl